

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
)	
BRIAN THOMAS CROOKS)	CASE NO. 09-69160-JRS
BETH HAYNES)	
)	
DEBTORS)	

MOTION TO DISMISS

COMES NOW Adam M. Goodman, Trustee in the above styled matter, and respectfully shows the Court as follows:

1. Debtors filed a petition for relief under Chapter 13.
2. Debtors have failed to comply with this Court's Order requiring regular monthly Plan payments. Debtors should have paid \$11,462.00. Debtors have paid a total of \$9,465.00, causing a delinquency of \$1,997.00. Debtors' Plan violates 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6).
3. Debtor's plan will exceed 60 months, thus in violation of 11 U.S.C. §§ 1307(c)(1) and 1307(c)(6); see also 11 U.S.C. § 1322(d).
4. Specific grounds for objection to this Motion to Dismiss should be filed by Debtors within twenty-one (21) days.

WHEREFORE, Trustee respectfully requests this case be dismissed.

Dated: February 8, 2010

/s/_____
ADAM M. GOODMAN
CHAPTER 13 TRUSTEE
STATE BAR NO. 300887
260 PEACHTREE STREET
SUITE 200
ATLANTA, GA 30303
(678) 510-1444 PHONE
(678) 510-1450 FACSIMILE

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NOTICE OF HEARING ON MOTION TO DISMISS CASE

A hearing on the Chapter 13 Trustee's Motion to Dismiss will be held March 10, 2011 at 9:30 AM, of Courtroom 1404, Russell Federal Building , 75 Spring Street SW, Atlanta, GA 30303.

All written objections shall state the grounds therefore and shall be filed with the Clerk, United States Bankruptcy Court: Richard B. Russell Building, 75 Spring Street, SW, Room 1340, Atlanta, GA 30303.

A copy of the objection should be furnished to the Chapter 13 Trustee:
Adam M. Goodman, Standing Chapter 13 Trustee, 260 Peachtree Street, Suite 200, Atlanta, GA 30303.

Dated: February 8, 2010

/s/ _____
ADAM M. GOODMAN
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CERTIFICATE OF SERVICE

Case No: CASE NO. 09-69160-JRS

This is to certify that I have this day served:

Brian Thomas Crooks
Beth Haynes
90 Fairlie St.
Unit 203
Atlanta, GA 30303

The Sandberg Law Firm
International Tower - Suite 705
229 Peachtree Street, NE
Atlanta, GA 30303

with a copy of the foregoing Motion to Dismiss together with the Notice of Hearing on the Motion to Dismiss Case by depositing in the United States Mail a copy of same in properly addressed envelope with adequate postage thereon today February 8, 2010.

/s/

ADAM M. GOODMAN
CHAPTER 13 TRUSTEE
260 PEACHTREE STREET
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